

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 20

August 18, 2004

**SUBJECT:** PRELIMINARY INVESTIGATION OF VEHICLES STOLEN BY MEANS OF A FRAUDULENT CREDIT APPLICATION

**EFFECTIVE:** IMMEDIATELY

**PURPOSE:** Current Department procedures do not allow for the completion of a stolen vehicle report and the entering of information into the Stolen Vehicle System (SVS) by the officer conducting a preliminary investigation of a vehicle obtained by the use of a worthless document (e.g., counterfeit checks, fraudulent use of credit card, etc.). This was necessary to prevent the detention of an innocent third party that may have unknowingly purchased the stolen vehicle from the original suspect. However, when a vehicle is stolen by means of a fraudulent credit application (i.e., financed vehicle), title of ownership is not transferred to the suspect; therefore, the suspect is unable to resell the stolen vehicle. In these instances, when title has not transferred, a stolen vehicle report shall be completed and the information entered into SVS without delay, to improve the chances of recovery of the vehicle. This Order revises the procedure for conducting the preliminary investigation of a vehicle obtained by the use of a fraudulent credit application.

**PROCEDURE:**

**I. VEHICLES STOLEN BY MEANS OF A FRAUDULENT CREDIT**

**APPLICATION - DEFINED.** A vehicle stolen by means of a fraudulent credit application must possess the elements of identity theft to constitute a crime (i.e., using someone else's personal identification, including name, social security number, identification number, etc.) in order to obtain credit. The mere inflation of income constitutes a civil matter and does not meet the elements required for fraudulent credit application investigation.

**II. PRELIMINARY INVESTIGATING OFFICER'S RESPONSIBILITY.**

When an officer conducting a preliminary investigation determines that a vehicle has been obtained by use of a fraudulent credit application, the officer shall:

- \* Complete a Worthless Document Investigation, Form 3.06, for the credit application;
- \* Complete a Vehicle Report, CHP Form 180, titled "Stolen," containing the elements of the crime in the

narrative and attach the original vehicle report to the Worthless Document Investigation report; and,

- \* Notify Vehicle Information Processing Unit (VIPU) to ensure that the vehicle information is entered into SVS.

**Note:** The Division of Records (DR) number assigned to the worthless document shall be used for both reports.

**III. COMMERCIAL CRIMES DIVISION'S RESPONSIBILITY.** Upon receiving a Worthless Document Investigation report and Stolen Vehicle report, the detective assigned to Commercial Crimes Division, Forgery Section, shall assume primary follow-up investigation responsibility.

**AMENDMENTS:** This Order amends Section 4/220.50 of the Department Manual.

**AUDIT RESPONSIBILITY:** The Commanding Officer, Detective Bureau, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.20.

WILLIAM J. BRATTON  
CHIEF OF POLICE

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